

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

ROBERT JAMES GRANT, #10115-032

PETITIONER

VERSUS

CIVIL ACTION NO. 5:09-cv-149-DCB-MTP

**UNITED STATES OF AMERICA and
WARDEN F.C.C. YAZOO CITY**

RESPONDENTS

ORDER

This matter is before the Court, *sua sponte*, to review the Petition filed September 8, 2009, pursuant to 28 U.S.C. § 2241 by federal inmate Grant. Upon initial review of the Petition and Response [9] filed, along with the entire court record, it is hereby,

ORDERED AND ADJUDGED:

1. That Petitioner's Motion [3] for leave to proceed *in forma pauperis* is denied as moot.

Petitioner paid the filing fee for this case on October 1, 2009.

2. That in accordance with the 28 U.S.C. § 2242, the proper Respondent for this case is Petitioner's custodian, which is the Warden at the Federal Correctional Complex (FCC) -Yazoo City. As such, the Clerk is directed to edit the docket of this case to reflect the only named Respondent to be Bruce Pearson, Warden of FCC - Yazoo City.

3. That Petitioner's Motion [10] for "Due Process" is granted to the extent the Court will order the Respondent to answer the Petition and denied in all other respects.

4. That Respondent, Bruce Pearson, file an answer or other responsive pleading in this cause within twenty days of the service of this order.

5. That the United States District Clerk is directed to issue summons to **Bruce Pearson**, Warden, FCC - Yazoo City, 2255 Haley Barbour Pkwy, Yazoo City, Mississippi 39194.

6. That the United States District Clerk shall serve, by certified mail, a copy of the summons, Petition [1] and Response [9] filed herein, along with a copy of this order upon the **Civil Process Clerk of the Office of the United States Attorney for the Southern District of Mississippi**, 188 E. Capitol St., Suite 500, Jackson, Mississippi 39201; the **Attorney General of the United States**, at 10th Street & Constitution Avenue, Washington, D.C. 20530; and **Bruce Pearson**, Warden, FCC - Yazoo, P.O. Box 5050, Yazoo City, Mississippi 39194.

7. That the Clerk of Court shall also serve a copy of this order upon **Petitioner** by mailing same to Petitioner's last known address. The Petitioner is warned that his failure to timely comply with any order of this Court or a failure to keep this Court informed of his current address, may result in the dismissal of this case.

SO ORDERED, this the 1st day of December, 2009.

s/David Bramlette
UNITED STATES DISTRICT JUDGE